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AMERICORPS*TCCC

COMMUNITY RESPONSIBILITY

To enter AmeriCorps*TCCC is to become a member of a community. Choosing to become a member of this community implies a commitment to maintaining an environment in which both community and individual goals can be attained. Acceptance as a member of this community is a privilege; sharing in the maintenance of this community is a responsibility; as such, all members are expected to abide by the AmeriCorps*TCCC Code of Conduct.

AmeriCorps*TCCC is committed to maintaining an environment in which diversity is accepted and celebrated. It is celebrated because each individual contributes a wealth of values and experiences to the work and service environment—age, race, gender, ethnicity, physical ability, education, religion, marital status, economic class, political ideology, and more.

As we welcome and cherish these differences, and as we respect and learn from these differences, we enhance our productivity and overall quality of life and recognize that all people are as one. To this end, each member of the AmeriCorps*TCCC community is expected to treat all individuals with a common standard of decency.

RIGHTS AND RESPONSIBILITIES

Purpose: To establish an environment in which all AmeriCorps*TCCC members may lead, coach, teach, and learn from all other members.

Policy:

a. Basic Rights

All members have the right to:

- ◆ Serve, work, and learn in an atmosphere free from disrespect, harassment, or discrimination. It is illegal to harass and/or discriminate against others on the basis of their race, color, national origin, sex, age, religion, citizenship, mental or physical disability, or political affiliation.
- ◆ Be recognized and treated as responsible and capable adults who are willing and able to accept responsibility, both individually and as team members.
- ◆ Have grievances and complaints heard and answered in a consistent and timely manner. (see pages 64-65.)
- ◆ Have reason for terminations, and other significant actions clearly stated in writing.

b. Voting, Electoral, and Lobbying Activities

1. Local or Absentee Voting

Campuses will establish a written plan to enable AmeriCorps*TCCC members to vote either locally, or by absentee ballot. This plan will advise them of their voting rights and responsibilities and provide them with voter registration information.

2. Voting Procedures

Campuses will provide assistance on voting procedures, including assisting eligible voters to request absentee ballots, arranging for absentee ballots to be marked in private, and arranging transportation within a reasonable distance (in the local area) from the campus to polls for members who are eligible to vote.

3. Political Activities

Individuals may engage in political activities while "off duty." They may actively campaign for, or against, candidates in partisan elections, participate in political rallies and meetings, and hold office in political clubs or parties. Members are prohibited from engaging in political activities while wearing the AmeriCorps*TCCC uniform (or any part that identifies the member as an AmeriCorps*TCCC member).

4. Prohibited Activities

Individuals may not use their authority to coerce or attempt to direct, or advise another member to pay, lend, or contribute anything of value to anyone for political purposes. No member may display posters, stickers, buttons, etc.

that have a partisan theme while on the job regardless of location, nor may he or she represent himself or herself as speaking or writing on behalf of AmeriCorps*TCCC, AmeriCorps, or the Corporation for National Service.

c. Rights Relative to Religion

1. Opportunity to Worship

AmeriCorps*TCCC members will be provided the opportunity to worship (or not to worship) as they choose. Campuses will provide members with a list of religious services available in the area. Every reasonable effort will be made to provide access to religious services for members serving in remote locations.

2. Religious Activities

- ◆ Individuals will not give religious instruction, conduct worship services, or engage in any other religious activity as part of their service or duties, or that would be perceived as part of their service or duties. This does not preclude members and team leaders from engaging in religious activities (e.g., Bible studies) in the dormitories or other AmeriCorps*TCCC buildings during non-service hours. While members are on spike, the use of government vehicles is permitted to attend religious services.
- ◆ No religious instruction, worship, proselytization, or other religious activity will be conducted as part of a project to which individuals are assigned.

d. Right to Reasonable Accommodation (Physical/Mental Disabilities)

AmeriCorps*TCCC will not deny the benefits of its activities or services to qualified individuals with disabilities and will make reasonable accommodation for the known physical or mental limitations of an otherwise qualified member. In this regard, AmeriCorps*TCCC will not deny the benefits of its activities or services to individuals who, for example, test positive for HIV or have a mental disability that is controlled by medication. However, AmeriCorps*TCCC will deny these benefits to an individual who has an active, contagious disease that constitutes a direct threat to the individual or to others.

Reasonable accommodation may include, but is not limited to:

- ◆ Assignment to a campus that is accessible to an otherwise qualified individual.
- ◆ Making designated facilities readily accessible to, and usable by, individuals with disabilities.
- ◆ Acquiring or modifying equipment or devices, or providing readers or interpreters.
- ◆ Other similar actions that do not impose an undue financial or administrative burden on AmeriCorps*TCCC or that would fundamentally alter the program.

In accordance with Section 504 of the Rehabilitation Act of 1973 (as amended), members with special needs have the right to file complaints directly with the Equal Opportunity Counselor at the Corporation for National Service if they believe they have been discriminated against on the basis of their disabilities.

2. Self-Advocacy by Members with Special Needs

- ◆ Individuals are responsible for defining their specific accommodation needs and for making sure that they are met. AmeriCorps*TCCC will not impose accommodation on any member. The member must take the lead to:
- ◆ Identify himself or herself and his or her needs to the campus director through the team leader and unit leader.
- ◆ Work with AmeriCorps*TCCC to specify, arrange, and follow through on accommodations.
- ◆ Alert the team leader and unit leader immediately to problems he or she encounters that AmeriCorps*TCCC can help resolve.

3. Cost of Accommodation

If the cost of an accommodation would impose an undue financial burden on AmeriCorps*TCCC, the individual with a special need will normally be given the option of providing the accommodation or paying that portion of the cost that would constitute an undue burden.

e. Right to Privacy

1. Member Records

The Privacy Act (5 U.S.C. 552a) gives citizens the right of privacy regarding records maintained on them personally by AmeriCorps*TCCC and/or the Corporation for National Service. It also gives them appropriate access to their own records, including adequate opportunity to correct errors in their record. This right applies to systems of

records that contain personal data, where an individual can be located by name or assigned personal identifier. Each campus director will delegate, in writing, a staff member who will be responsible for the maintenance and safeguarding of AmeriCorps*TCCC members' personnel and medical records.

2. Disclosure of Personal Information

- ◆ The Privacy Act prohibits disclosure of personal information from these systems of records to an individual other than the subject of the record or to another agency without the express written consent of the subject of the record, or the person's agent or attorney. However, there are exceptions to this prohibition. These exceptions include:
- ◆ Disclosure to officers or employees of the Corporation for National Service who have a need for such information in the official performance of their duties.
- ◆ Disclosure to any agency of the federal or a state government for civil or criminal law enforcement purposes, in accordance with established procedures (e.g., the Federal Bureau of Investigation).

3. Disclosure of Medical Information

Medical information may not be disclosed to anyone, including other AmeriCorps*TCCC members, except under the following circumstances:

- ◆ Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the individual and necessary accommodations.
- ◆ First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.
- ◆ Government officials investigating compliance with the Rehabilitation Act shall be provided relevant information upon request.
- ◆ In addition, some other laws and requirements authorize disclosure-for example, state and federal public health requirements include reporting recently diagnosed cases of certain contagious diseases, and the AmeriCorps*TCCC health insurance plan may require medical information in order to resolve issues concerning the existence of pre-existing conditions.

The protections for medical records apply both during and after the term of service. Further, if an individual reveals medical information in response to a non-medical inquiry, the medical information must be deemed confidential and treated in accordance with the above requirements.

Campuses shall ensure that all members and team leaders are fully informed of their responsibilities under the Privacy Act. Furthermore, all personnel records (including medical) shall be stored and secured at all times. The campus director is ultimately responsible for the safeguarding of these records.

f. Searches and Seizures

1. Searches by Campus Staff

Campuses will comply with Fourth Amendment requirements when there is a need to search a member's room for evidence of a crime, or for illegal items. Searches will be conducted pursuant to a search warrant issued by a judge, magistrate, or other authorized individual (i.e., the base commander), or consistent with an established exception to the warrant requirement, such as a consent search, a search under exigent (urgent) circumstances, a search incident to an arrest, or seizing evidence in plain view. Searches are to be distinguished from administrative inspections where AmeriCorps*TCCC staff may enter rooms to inspect for health and safety purposes, including prohibited items, etc. Refusal to allow staff entry to conduct administrative inspections may be grounds for further disciplinary action.

2. Searches by Law Enforcement Officials

- ◆ AmeriCorps*TCCC staff and members do not have the authority to consent, on any member's behalf, to the search of that member's room, vehicle, or other possessions by law enforcement officials.
- ◆ If law enforcement officials request AmeriCorps*TCCC staff for permission to search a room, the staff member will advise them that they must comply with the requirements of the law of search and seizure. Whenever possible, the campus director will be immediately notified of the request by law enforcement officials. For campuses on active military bases, the commanding officer of the installation has the authority to authorize searches of rooms and vehicles.

It is not in a member's interest to challenge a law enforcement official who is conducting a search since he or she has authority to use force to do so. Questions about the validity of the search warrant should be reserved for the courts.

3. Roommates

Roommates who allow or tolerate the evidence of a crime (including illegal drugs) in their room by roommates or others subject themselves to the possibility that all of their private possessions in that room may be searched even though they are not suspects, and they may be prosecuted for any stolen goods or illegal substances found in their possession.

Roommates may authorize law enforcement officers, official inspectors, or anyone else to enter rooms shared in common, and a successful prosecution may result from the observation and subsequent seizure of evidence of a crime that is in plain view. However, a roommate may not consent to the search of, or waive a fellow member's right to the privacy of a desk, bureau, trunk, or other presumptively private container not shared in common.

CODE OF CONDUCT and PROFESSIONAL BEHAVIOR

PURPOSE: To establish minimum standards of acceptable behavior that will enable members to live and work closely together.

CODE OF CONDUCT: Standards of conduct are necessary for both morale and safety. As members of AmeriCorps*TCCC, members will be held responsible for their actions; therefore, their conduct should always be in the best interests of AmeriCorps*TCCC.

All AmeriCorps*TCCC members will:

- ◆ Model civic pride and responsibility in their daily conduct and behavior and, at all times, present themselves in a manner that reflects positively on themselves and on AmeriCorps*TCCC.
- ◆ Treat all persons with respect and courtesy and settle disputes in a non-violent/non-abusive manner, and show respect toward fellow members and staff in AmeriCorps*TCCC.
- ◆ Conduct themselves in such a manner so as to avoid intentional or reckless harm to other persons.
- ◆ Adhere to the rules and regulations of AmeriCorps*TCCC, the host facility (if any), and all applicable city, state, and federal laws.
- ◆ Bear a fair share of the workload and exhibit, at a minimum, satisfactory performance.
- ◆ Be punctual for scheduled activities, trainings and service assignments.
- ◆ Use tools, fire and safety equipment in a safe and proper manner.
- ◆ Refrain from using profanity in all professional settings, the TCCC Administration Office and particularly project sites.
- ◆ Wear the AmeriCorps*TCCC uniform with pride.

PROHIBITIONS:

a. Firearms and Other Weapons

Possession of any firearm or other weapon (e.g., knives with blades longer than three inches, brass knuckles, etc.) is strictly prohibited.

b. Illegal Drugs

Possession or use of illegal drugs is strictly prohibited and is cause for immediate dismissal.

c. Alcohol-Underage Individuals

Possession or use of alcohol by individuals under 21 years of age is prohibited. Possession by such individuals is cause for disciplinary action that could result in dismissal.

d. Alcohol-Individuals 21 and Over

Possession or use of alcohol by individuals 21 years or older is prohibited during service and training hours, at project sites, and in AmeriCorps*TCCC vehicles and facilities. This does not preclude individuals who are of legal age from consuming alcohol during off duty hours and outside the confines of AmeriCorps*TCCC facilities. However, the use of alcohol at any time at a spike worksite, including the place of lodging, is strictly prohibited. See page 9 for more information.

e. Sexual Contact

Members and team leaders will refrain from all forms of sexual contact while on duty, and while in, or in close proximity to, AmeriCorps*TCCC facilities. (This does not include physical contact that is not sexual in nature and is conducted in a friendly and non-offensive manner.)

f.. Tobacco

Except in designated areas, the use of tobacco products, including smokeless tobacco, is prohibited in all AmeriCorps*TCCC facilities, AmeriCorps*TCCC vehicles, and work/project sites, exceptions will be made for cultural or religious purposes.

PROFESSIONAL BEHAVIOR: Members shall conduct themselves in a professional manner at all times. Each member's actions reflect on both AmeriCorps*TCCC and AmeriCorps as a whole. Members represent the national service program in the local community.

PROFESSIONAL COURTESY: Courtesy and respect for the opinions of others are integral parts of professionalism. Civilized discussion and constructive criticism are encouraged, but decorum and a constructive atmosphere are to be maintained at all times. **Under no circumstances will members be insubordinate to their team leaders, AmeriCorps*TCCC staff, or project sponsors.** Another part of professionalism is acceptance of decisions. Input into most decisions will be sought and encouraged. Once a decision has been made, however, all staff and members are expected to comply with, implement, and support the decision.

FRATERNIZATION: Relationships between members and staff members (including volunteer and contract personnel) that are exploitive or that have the appearance of partiality, preferential treatment, or the improper use of position for personal gain, are prejudicial to the morale of AmeriCorps*TCCC members and will not be tolerated. Any nonprofessional relationship between members and staff will inherently cause the perception of partiality or preferential treatment. It may also lead to perceptions of exploitation; therefore, such relationships are strictly forbidden, and will not be tolerated. Violators, including staff (government employees and contractors), will be subject to disciplinary action, up to and including removal.

Nonprofessional relationships between members and staff (including team leaders, volunteers, and contract personnel) includes, but is not limited to:

- ◆ Intimate/sexual relationships.
- ◆ Borrowing or lending money, automobiles, or other personal property.
- ◆ Engaging in financial or business dealings, or acting as an agent or sponsor with any commercial enterprise.
- ◆ Soliciting contributions for gifts, services, or other gratuities that includes the use of position to influence or coerce others into buying commodities, goods, or services.
- ◆ Allowing services to be performed (compensated or uncompensated) that have no reasonable connection with AmeriCorps*TCCC activities.
- ◆ Gambling for goods, services, or money.

DISCIPLINARY STANDARDS

PURPOSE: To establish policy and procedures for the establishment and enforcement of good order and discipline.

POLICY: This policy is published to assist in creating an environment where members not only are encouraged and empowered to complete the program successfully by performing national service, but, at the same time, are taught discipline, team building, and mission accomplishment. It also sets forth the procedures used in disciplining, or dismissing members from AmeriCorps*TCCC. The policy also addresses the appellate rights of members who wish to appeal decisions by their campus directors to dismiss them from the program. The official sanctions set forth below may be used by a campus director in establishing a methodology for the imposition of appropriate punishment.

However, there is no requirement to follow a prescribed sequence in the imposition of a particular form of punishment.

OFFICIAL SANCTIONS:

a. Official Verbal Warning

All AmeriCorps*TCCC team leaders and staff are authorized to administer an official verbal warning. This is in addition to informal verbal warnings and other informal attempts to correct deficiencies. An official verbal warning is an official act in the disciplinary process. It will be documented by an official incident report and reported to the

team leader. Verbal warnings issued by other staff members will be reported to the member's team leader. The member will also be informed that if the member repeats the infraction, further disciplinary action will be initiated.

b. Official Written Warning

- ◆ If a member continues to behave inappropriately, a written warning will be issued to the member, and a formal incident report will be filed by the team leader or other AmeriCorps*TCCC staff member. . . Rebuttals will be submitted through the member's team leader and then the team leader will report it to the unit supervisor. The incident report, and the written warning, will be placed in the member's personnel file, along with any rebuttal submitted (if any) by the member. The member has ten duty days to submit any rebuttal.
- ◆ AmeriCorps*TCCC acknowledges that there are less serious policy violations and offenses that, although not illegal, are considered violations of the Code of Conduct. If a member repeatedly or periodically continues to demonstrate inappropriate behavior by engaging in a pattern of misconduct, the member may be subject to a fine, suspension, or dismissal.

SUSPENSION, LOSS OF PRIVILEGES, AND LOSS OF LIVING ALLOWANCE: At the discretion of the program director, a member may be officially suspended from all program activities (from one to five days). There will also be a loss of living allowance and loss of service credit toward the education award corresponding directly to the suspension. While suspended, members may attend AmeriCorps*TCCC meals; however, members could face additional administrative sanctions including extra instruction and/or restriction to the dormitory. This form of punishment precludes a member from performing service during the suspension period for which no service credit will be given.

IMMEDIATE SUSPENSION: The program director may, at his discretion, suspend a member from the program.. Examples of infractions that may lead to immediate suspension and dismissal include, but are not limited to:

- ◆ Incidents where the member is shown to be a current and direct threat to himself or herself or others. The definition of direct threat is "representing a significant risk of substantial harm to the health or safety of the individual or others."
- ◆ Incidents in which a member is accused or convicted of a felony or misdemeanor. Consequently, all AmeriCorps*TCCC members will notify their respective program director whenever they are arrested, charged, and/or convicted of a crime. The notification will occur as soon as one of the above actions occur. Failure to provide timely notification will result in immediate dismissal proceedings.
- ◆ Consistent with AmeriCorps*TCCC federal legislation, incidences that would tend to jeopardize the enforcement of the standards of conduct or diminish the opportunities of other members.
- ◆ Other examples include possession/use of illegal drugs; possession/use of alcoholic beverages by underage individuals; possession or use of alcohol by members on the AmeriCorps*TCCC campus/spike worksite or place of lodging; possession or use of firearms or other weapons, such as knives, clubs, brass knuckles; theft; intentional destruction of property; unwelcome sexual contact; and sexual assault/abuse.

CRITERIA FOR DISMISSAL:

a. Dismissal for Cause

When, in the opinion of the program director, the retention of an individual in AmeriCorps*TCCC will jeopardize the enforcement of the standards of conduct or diminish the opportunities of other members, the director may dismiss the individual from the program. This is the most severe sanction that a director may impose; therefore, dismissal should be used for the most serious infractions, and for continuing patterns of misconduct.

b. Effects of a Criminal Conviction

Once an individual is convicted of an offense, the individual will be dismissed. A conviction is considered to be final even though it may be in the appellate process. Upon being charged with an offense, a member may, during the time that charges are pending, and at the discretion of the campus director, have his or her service suspended without receiving a living allowance and without receiving credit for hours missed. Alternatively, a campus director may institute immediate dismissal proceedings for misconduct that may be subject to future criminal proceedings. In other words, if a campus director has sufficient facts upon which to base a decision, he or she may dismiss before any criminal action is taken, because a dismissal is administrative, and not criminal in nature. An individual who has been charged with an offense and is later acquitted or has had the charge(s) dismissed, may be allowed to resume service, at

the discretion of the campus director. Further, if reinstated, the individual may be entitled, at the discretion of the campus director, to any or part of the living allowance and service hours missed as a result of the suspension.

ADMINISTRATIVE HEARING PROCEDURES:

a. Appeal of Dismissal

Individuals who are facing dismissal from the program are entitled to a hearing, unless waived in writing. These individuals shall be provided written notice of the director's intent. This notice shall state the reasons for the proposed action and shall also provide the individual sufficient opportunity (at least 48 hours-not over a weekend) to present his or her case to the director, or in the absence of the director, the director's designee. This shall include the right to submit documents and call witnesses for the presentation of relevant testimony, or the right to not make any statements. Continuances will be granted for good cause. Additionally, the individual shall be afforded the opportunity to examine and cross-examine any witness. A member may also request a spokesperson on his or her behalf. This may include an attorney who is hired by the member, at no expense to the TCCC and Government. This spokesperson will have the right to question the witnesses, and to speak on behalf of the member. If the spokesperson is another AmeriCorps*TCCC member, the spokesperson shall be given ample opportunity to assist the member in preparing for the hearing. A typed summarized transcript will be taken of the proceedings, which will be made available to the appellate authority upon request.

APPELLATE PROCEDURES:

a. Appeal to the Tribal Chairman

An AmeriCorps*TCCC member who desires to appeal a campus director's decision to dismiss that member from AmeriCorps*TCCC, shall have the right to appeal the decision to the Tribal Chairman, or his designee. The campus director's final decision shall be in writing. In this decision, the campus director will inform the individual of his or her right to appeal the decision, and that such appeal must be submitted within 5 duty days of the director's final decision. The appeal shall also be in writing and should contain the member's statement as to why the appeal should be granted, as well as any statements on behalf of the individual, either on the merits of the case, or in extenuation and/or mitigation. Additionally, attorney fees are not authorized for any aspects of the hearing process or the appeal.

b. Standard of Review

The appeal does not constitute a new hearing, but the standard will be whether or not the campus director abused his or her discretion in determining that a member should either be dismissed. The only exception is for those appeals where new evidence having a direct bearing on the facts of the case is discovered after the appeal has already been submitted. For cases involving newly submitted evidence, the campus director has the discretion to reconsider his or her previous decision based on this new evidence. This decision is also reviewable only for an abuse of discretion.

1. Status of Members During Appeal

Pending the resolution of the appeal, the member may either continue to perform service in the campus, with full living allowances and credit for service hours, or if circumstances warrant, be suspended with no living allowance or credit for service hours until the appeal is resolved. If, in the opinion of the program director, the member's continued presence on campus poses a threat or disruption to other individuals, the member may also be removed from the campus. For those members who are in a suspended status while the appeal is being considered, the living allowance and service hours may, depending on the totality of the circumstances, be restored if the appeal is ultimately successful and the member is reinstated.

2. Authority to Mitigate Punishment

The appellate authority may decide to either reduce the punishment given by a campus director, but may not increase the level of punishment by a campus director.

CHARACTERIZATION OF SERVICE-ELIGIBILITY TO SERVE ANOTHER TERM: If a member leaves the program for any reason other than under personal and compelling circumstances, the program director shall make an affirmative determination as to whether the individual has served in a satisfactory manner (the law provides that an individual is not eligible to serve an additional term unless he or she has served in a satisfactory manner in the previous term). The member's file shall then be annotated, and the member informed of the campus director's decision regarding characterization of service. The program director's decision concerning the quality of the member's service is final. Additionally, a resignation in lieu of dismissal does not prevent the program director from determining that the member's service was not satisfactory.

SEXUAL HARASSMENT: *See Tribal Sexual Harassment Policy*

RESPONSIBILITIES:

a. Equal Opportunity Office

The Corporation for National and Community Service's Equal Opportunity Office is responsible for ensuring that all members and team leaders receive appropriate and recurring guidance and/or instruction on the prevention and elimination of sexual harassment.

b. Program Director

In order to prevent and eliminate sexual harassment, the program director will:

- ◆ Inform members that sexual harassment is prohibited and will not be tolerated and that appropriate corrective action will be taken against persons who engage in such conduct. Appropriate corrective action may include disciplinary action up to and including dismissal from the program.
- ◆ Ensure that all individuals are knowledgeable concerning the *Tribal* sexual harassment policies.
- ◆ Inform members that they should report, in a timely manner, all sexual harassment to their team leader, or higher level staff member, as appropriate.
- ◆ Investigate immediately all complaints of sexual harassment brought to their attention.
- ◆ Consult with the Corporation's Personnel Office before initiating any corrective action against an employee, including disciplinary or adverse action.

c. Members

Members will:

- ◆ Bring conduct that they believe might constitute sexual harassment to the attention of their team leader.
- ◆ Assist senior staff, as may be required, in receiving, investigating, and resolving informal complaints or reports of alleged sexual harassment.
- ◆ Cooperate in the investigation of informal or formal complaints of alleged sexual harassment by providing any information he or she may possess concerning the matters under investigation.
- ◆ Ensure that his or her conduct does not sexually harass any other member, contractor personnel, visitor, or other individual connected with the service site.
- ◆ Cooperate with AmeriCorps*TCCC's efforts to prevent and eliminate sexual harassment and to maintain an environment free from such conduct.

DEFINITION: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- ◆ Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or service.
- ◆ Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual.
- ◆ Submission to or rejection of such conduct has the purpose or effect of unreasonably interfering with an individual's work or service performance or creating an intimidating, hostile, or offensive working environment.

DRUGS, ALCOHOL, AND TOBACCO: In Addition See *TRIBE'S DRUG AND ALCOHOL POLICY*

PURPOSE: To establish a drug-, alcohol-, and tobacco-free workplace that ensures a safe, healthy, and productive work environment for all AmeriCorps*TCCC members.

SUMMARY: Alcohol and drug abuse adversely affects health, job performance, creates dangerous situations, and serve to undermine the community's confidence in AmeriCorps*TCCC. Therefore, AmeriCorps*TCCC prohibits illegal drug or alcohol abuse on the part of its employees (including volunteer and contractor personnel), team leaders, or members. **Before admittance to the program, all AmeriCorps*TCCC members must pass an initial drug& alcohol screening test upon their arrival to the campus.** If the test is positive for illegal drugs, the individual will not be allowed to continue in the program and will need to provide for their own transportation home. **Additionally, members will be subjected to random drug testing throughout the course of the program. Members may also be**

required to submit to drug & alcohol testing when there is reasonable cause of drug or alcohol use or if they involved in an accident of any kind.

Tobacco has also been shown to adversely affect a user's health and, in some cases, the health of those who are exposed to secondhand smoke. Therefore, AmeriCorps*TCCC will minimize exposure to such products for individuals who do not choose to use them.

DEFINITIONS:

Substance-alcohol or drugs.

Alcohol-ethyl alcohol or ethanol.

Drugs-any illegal substance taken into the body, other than alcohol, which may impair one's mental faculties and/or physical performance.

Abuse-use of any illegal drug, or use of any drug, alcohol, or over-the-counter or prescription drugs where use is not in conformance with prescription requirements, or occurs in circumstances where use is not permitted.

Tobacco- cigarettes, chewing tobacco (and other smokeless tobacco products), and cigars, tobacco not being used for cultural or religious purposes.

POLICY:

a. Legal Drinking Age

The legal drinking age is 21 years of age. Consequently, possession or use of alcohol by individuals who are under the legal drinking age is prohibited at all times. Individuals who are 21 years or older are prohibited from purchasing or providing alcohol to individuals who are under the legal drinking age.

b. Possession and Consumption of Alcohol

Alcohol is prohibited during service or training hours and it shall not be used by or served to anyone, regardless of age, in AmeriCorps*TCCC facilities, housing areas, or project sites. Additionally, AmeriCorps*TCCC members are prohibited from possessing, in their rooms, containers or packaging that originally were designed to hold alcoholic beverages. It is not the intent of AmeriCorps*TCCC to preclude anyone who is of legal age from drinking alcoholic beverages in licensed establishments, either on host facilities or in the community. The consumption of alcohol is not permitted at any time at the spike worksite, place of lodging, or during working hours.

c. Events with Individuals Under 21

Alcoholic beverages are prohibited during parties or a "get together" in which individuals under the age of 21 are attending.

d. Illegal Drugs and Controlled Substances

- ◆ The introduction, consumption, and/or possession of illegal drugs or controlled substances and paraphernalia is prohibited for all individuals. Campuses will conduct random drug screening among members at anytime throughout the service year and will use the results to determine suitability for continued service. Members who test positive for illegal drugs will be given the opportunity to explain the positive results. At the discretion of the Program Director he may take no disciplinary action against members who voluntarily admit their drug usage, as long as all of the following conditions are met:
- ◆ The member voluntarily identifies himself or herself as a user of illegal drugs prior to being identified through other means;
- ◆ The member agrees to obtain counseling or rehabilitation; and
- ◆ The member agrees to refrain from using illegal drugs thereafter.
- ◆ Will be randomly drug & alcohol tested for the entire period of employment, up to five years.
- ◆ The above procedure will not apply to members who attempt to self-refer before they undergo initial drug testing. Therefore, the AmeriCorps*TCCC self-referral policy will only apply to members who have successfully passed their initial drug screening and physical examination.

e. Problems Resulting from Alcohol Abuse

Performance, attendance, or behavioral problems resulting from drug and/or alcohol abuse will lead to immediate termination, pursuant to administrative hearing procedures set forth in this handbook.

f. Reporting in a Fit Condition

Members will report to work in a fit condition to perform their duties. Reporting to work under the influence of illegal drugs or alcohol is unacceptable and is grounds for immediate dismissal proceedings. Individuals suspected of being unfit for duty will be referred for medical evaluation and/or a Drug & Alcohol Test upon the program director's approval.

g. Prescription Medication

Individuals on physician-prescribed medication must notify their immediate supervisor if there is a likelihood that such medication could affect job performance and/or safety or others.

h. Arrest or Conviction

Individual members arrested or convicted for off-the-job illegal drug or alcohol involvement may be considered to be in violation of AmeriCorps*TCCC's substance abuse policy and will be subject to disciplinary action up to, and including dismissal.

i. Law Enforcement

When appropriate, AmeriCorps*TCCC will bring matters of illegal drug or alcohol use to the attention of appropriate law enforcement authorities.

j. Alcohol Abuse

At the discretion of the program director, members who are of legal drinking age and are suspected of alcohol abuse may be requested to enroll in and successfully complete an alcohol education/treatment program, at no cost to AmeriCorps*TCCC, as a condition of continuation in the AmeriCorps*TCCC program.

k. Smoking/Tobacco Use

Campuses will only allow smoking in outside areas away from the campus. All classrooms, cafeterias, AmeriCorps*TCCC vehicles, dormitories, and worksites will be smoke- and tobacco-free. This policy will be strictly enforced. Please throw away cigarette butts in the proper receptacle. Smoking is only allowed outside.

UNIFORM and GROOMING STANDARDS

PURPOSE: To enhance public recognition and perception of AmeriCorps*TCCC by requiring an AmeriCorps*TCCC uniform and minimum grooming standards.

POLICY: Campuses will issue uniforms necessary for members to participate in the program, to meet safety and health requirements, and to enable them to function comfortably and effectively outdoors under adverse weather conditions. Uniform standards include the following:

a. Discretion of Program Directors

Program directors may use maximum discretion when enforcing uniform and grooming requirements.

b. Positive Image

AmeriCorps*TCCC members must maintain a positive image in their dress, appearance, and demeanor.

c. Jewelry

The only types of jewelry that may be worn outside the member uniform, or while on duty, are watches, bracelets, and ear studs, wedding rings. All other facial or visible jewelry is prohibited while the member is performing official AmeriCorps*TCCC duties, or while in uniform. Additionally, AmeriCorps*TCCC will adhere to more restrictive standards set by the project sponsor.

d. Uniform

Uniform items will be clean and in good repair at all times and will be worn when representing AmeriCorps*TCCC.

e. Grooming Standards

All AmeriCorps*TCCC members will be required to comply with grooming standards to ensure their safety.

f. Appropriate Uniforms

The requirements of the project will determine the appropriate AmeriCorps*TCCC uniform to be worn at the worksite.

GUIDELINES DURING SERVICE AND TRAINING PERIODS:**a. Pants**

Long pants are generally preferred since they minimize cuts, abrasions, insect bites, and other possible leg injuries.

b. Shirts

Long-sleeve shirts are generally preferred since they offer the same kind of protection as do long pants. However, members may wear short sleeve shirts or T-shirts during hot weather when chances for injury are minimal. . Tank tops, tube tops, and going shirtless are absolutely prohibited.

c. Hair

Long hair can be a safety hazard; therefore, long hair must be pinned up or tied back when working near any power equipment or machinery.

GUIDELINES DURING LEISURE HOURS: During leisure hours, members may wear the clothing of their choice; however, this will be no less than a T-shirt, shorts, and appropriate footwear when an individual is remaining on campus or on the host facility. In the interest of cooperation, Campuses will adopt reasonable standards for civilian attire for their members that will be in compliance with the standards of the host facility. Members will also comply with base dress codes required for admittance, and use of, facilities.

LIVING ALLOWANCE & BENEFITS

PURPOSE: To inform members of the amount and distribution schedule of AmeriCorps*TCCC living allowances and their associated benefits.

POLICY: During their term of service, members will receive a living allowance. The living allowance will cease once the individual leaves the program. The amount of this allowance is determined by the Corporation for National Service. Members. Each member will receive \$90.00 per week (\$180.00 per pay period/every two weeks). Federal income tax, Social Security taxes, Medicare and etc will be withheld from their allowances. Checks cover a 14-day period and are paid every other Friday. If terminated from the program you can pick up your final paycheck within 72 hours. If you resign from the program, you will have to wait until the regular pay date to receive your final pay check.

EDUCATION AWARD

PURPOSE: To provide each member with relative information concerning the AmeriCorps*TCCC education award.

POLICY: To earn or be entitled to an educational award, each AmeriCorps*TCCC member must comply with the following policies that are promulgated by the Corporation for National Service.

a. Requirements

To qualify for an award, you must successfully complete the required "term of service" for the program in which you are participating and perform at least 1,700 hours. (Of the 1,700 hours, at least 80 hours must be independent service hours.) Under special circumstances, you may receive a prorated award if you are unable to complete your full term.

b. Use of Education Award

Your education award can be used in the following ways:

- ◆ To repay qualified existing or future student loans;
- ◆ To pay all or part of the cost (tuition, book, lab fees) of attending an institution of higher education (including certain vocational programs); and/or

- ◆ To repay expenses incurred while participating in an approved school-to-work program.

c. Amount of Award

- ◆ The amount of your award is \$4,725.00. Service in AmeriCorps*TCCC is full-time service. Failure to complete 1,700 hours and the full 10 months other than non-compelling reasons; will not receive any portion of the education award.
- ◆ You can divide up your award and use it any way you want, as long as it is for authorized expenditures. You could, for example, apply a portion of it to existing qualified student loans and save the remainder to pay for authorized college costs within seven years of the completion of your service. You may apply for an extension if, during the seven-year period, you perform another term of service in an approved AmeriCorps position, or if you are unavoidably prevented from using the award.
- ◆ The education awards are provided from a special account in the United States Treasury called the National Service Trust. This Trust is managed by the Corporation for National and Community Service, which is the parent organization for AmeriCorps programs. **Education awards are subject to income taxes in the year they are used.**

d. What happens when you complete your service?

- ◆ When you complete your term of service, your program director will notify the Trust that you have successfully completed the program. Successful completion of the program includes the payment of all fines and money owed as a result of damage to, or loss of government property. Failure to pay this money may either delay, or totally preclude the receipt of your education/cash award and a payment request form. The Corporation will send you a letter informing you of the amount of your award, and a voucher and payment request form. You may then present the voucher to your loan holder or the school you plan to attend. The loan holder or school will contact the Corporation for payment.
- ◆ You should receive your letter from the Corporation within 20-30 days of completing your service. Because the letter will automatically be sent to the permanent address that you furnished when you enrolled, it is important that you keep the National Service Trust informed of any changes to that address. Prior to ending your service, you will have an opportunity to update your address.

e. No student loan payments while you are serving in AmeriCorps!!

You don't have to make payments on qualified student loans while you are serving in AmeriCorps*TCCC. Your lender will be able to tell you if your particular loans qualify for being postponed and whether interest will accrue during your term of service.

PROCEDURE: If you successfully complete your term of service, the Trust will pay all the interest that accrues on your student qualifying loans while you are serving. After your service, the interest that accrued while you were in the AmeriCorps position will automatically be paid by the Corporation.

Since these are benefits above and beyond your education award, interest payments will not be deducted from the amount of your award.

In order to obtain this benefit, at the time you begin your service you must apply directly to the loan holder explaining your participation in an AmeriCorps program and asking for "forbearance" in the repayment of your loan. If your loan qualifies, the loan holder will give you a form that you must fill out and send to the Trust (at 1201 New York Avenue, NW, Washington, DC 20525, ATTN: Trust Officer).

The Trust will complete any applicable portion of the forbearance form or enclose relevant documentation and return it to the loan holder or, if you request, to you. The Corporation certifies your status in service, but the lending institution or loan service determines your eligibility for deferral. The Trust can only verify participation after an individual enters an AmeriCorps position.

Unless you are released from service for compelling personal reasons, the Trust cannot pay any interest accrued during the period if you do not complete your agreed upon term of service.

Although, generally you may not qualify to have interest paid by the Trust if you don't complete a full term of service, it may be paid under other authorities. Check with your lender to determine whether your student loan qualifies for another type of deferment.

Common questions and answers:

1. What do I need to do to get an education award?

You must complete 1,700 hours of service and your ten months of service. Then, within 20 to 30 days of completion, you will receive a letter and voucher that you should take to the school or your lender. The payment is sent directly to the school or lender; it does not go to you.

2. What is the amount of the award I will receive?

The amount of the education award depends upon the term of service you complete. If you complete a full-time term of service, you will receive a \$4,725.00 award.

3. How many education awards can I receive?

Two. You may receive an award for your first and second terms of service.

4. How long do I have to use my education award?

You must use the award within seven years of the date you complete your service. You may apply for an extension of this time period if you were unavoidably prevented from using the award during the period. You must apply before the end of the seven-year period.

5. What can I use my education award for?

Awards can be used to repay existing or future qualified educational loans to pay for the cost of attending a qualified college or graduate school or an approved school/work program (as defined by the Departments of Education and Labor). The award isn't limited to one loan or one school; it can be used to help pay several qualified loans or to pay the costs of attendance at several educational institutions, or combination.

6. What expenses are considered part of the "cost of attending" a qualified school?

The Department of Education has defined the term "cost of attendance" to mean, tuition, normal fees, and required material, equipment, and supplies. In addition, each educational institution establishes allowances for room and board, books, supplies, transportation, and miscellaneous personal expenses, which are also included in the cost of attendance.

7. What kinds of schools can I attend using the awards? What kinds of loans can I pay off using the awards?

- ◆ You may attend an institution of higher education (including certain vocational programs) as defined in section 48 (a) of the Higher Education Act of 1965, as amended (20 U.S.C. 1088 (a)). This includes most institutions of higher education (including graduate and professional programs), as well as some vocational schools. If in doubt, you should check with the institution prior to making definite plans. The institution's financial aid office will know if they meet this requirement.
- ◆ A qualified student loan means any loan made, insured, or guaranteed pursuant to Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), other than a loan made to a parent of a student pursuant to section 428 B of the Act; and any loan made pursuant to Title VII or VIII of the Public Service Health Act (42 U.S.C. 292a et seq.). These citations should be on your loan papers. Your lender will be able to tell you if the loan is covered.
- ◆ If you are unsure whether the school or the loan qualifies, ask the school or lender for written proof.

8. Can an education award be used to study outside the United States?

Many postsecondary institutions offer educational opportunities abroad. As long as the institution itself is in the United States and meets the legal requirements listed above, you may use the education award to study overseas. Foreign schools, however, do not meet the Higher Education Act criteria.

9. Will the education award affect my eligibility for other student financial aid?

The education award will not be taken into account in determining eligibility for any federal student aid. The Corporation has no jurisdiction over whether state or private universities-private scholarship funds-will take it into account in determining eligibility for institutional aid; however, the Corporation has requested that institutions not do so.

10. What happens if I do not complete my full term of service?

Members who do not successfully complete their term or who are released for cause are not eligible for any portion of an award.

11. What happens if I withdraw from the school or fail to complete my period of enrollment for which the award has been used?

The school must have a fair and equitable refund policy that complies with the Higher Education Act of 1965, as amended. If there is any refund owed and returned to the Corporation, the amount will be credited to your "account" in the Trust, and can be used by you, within seven years of your completion of service.

12. Will I have to pay taxes on my education award?

According to the IRS, education awards are subject to income taxes in the calendar year in which they are used. The Corporation will deduct no taxes, but it will send you a Form 1099 to be used in preparing your income tax return.

13. Is accrued interest paid by the Trust taxable?

In late January, 1099 Forms (Miscellaneous Income) are mailed to all AmeriCorps members who had payments made from their education awards or for their accrued interest during the previous year. Although the 1099 Forms (Miscellaneous Income) does not have to be included when Members file their returns, it does reflect the amounts that the Trust reports to the IRS as taxable, miscellaneous income. It should be included in their tax calculations. The handout about your education award does not explicitly state that interest payments, too, are taxable.

14. When requesting forbearance should dates be included?

When members submit their requests for forbearance to the National Service Trust for certification, they should make sure that their dates of service are included on the forms. This will speed up returning the forms to their lenders, if the Trust has not yet received or processed their enrollment forms. Also, they should make sure that the name and address of the lender is included on the form.

15. Do members get their accrued interest paid?

In order for the Trust to pay the interest that has accrued on a member's qualified student loan during his or her term of service, the Trust must have two documents: an end of term form showing that the member has earned an education award and a letter, statement, or bill from the loan company showing the amount of interest that accrued. The latter must include either a daily accrual rate or the total amount of interest that accrued, and a clear indication of the time period upon which that total is based.

16. Is my award transferable? For example, if I am unable to use it, can I transfer the award to another individual?

No. Only AmeriCorps members are eligible for education awards. You may not transfer it to a relative or any other individual under any circumstances.

17. Who do I ask if I have other questions?

You may call the Trust at the Corporation for National Service. A special number reserved for questions about education awards is (202) 606-5000, extension 347.

Notes on Voucher and Payment Request Form:

In completing the Voucher and Payment Request Form, you are certifying:

Applicable Only to National Service Participant

- a. Endorsement for payment of the amount specified to the applicable loan holder or educational institution.
- b. That you have not been convicted, since your completion of service as an AmeriCorps participant, of the possession or sale of a controlled substance. (If you are unable to make this certification, please write to the National Service Trust and we will inform you of what you must do to be eligible to use the education award.)

Applicable Only to Loan Holders

- a. The loan being paid meets the definition of a qualified student loan: any loan made, insured, or guaranteed pursuant to title IV of the Higher Education Act of 1965, other than a loan to a parent of a student pursuant to section 42SB of such Act; and any loan made pursuant to title VII or VIII of the Public Health Service Act.
- b. You are the holder of the loan, defined as: the original lender or, if the loan has been subsequently sold, transferred or assigned to some other person, and such other person acquires a legally enforceable right to receive payments from the borrower, such other person.

Applicable only to Education Expenses At Institutions of Higher Education

- a. You have in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094).
- b. Your eligibility to participate in any of the programs under title IV of such Act has not been limited, suspended, or terminated.
- c. The total number of individuals using awards in the current academic year do not comprise more than 15 percent of the total student population.
- d. You are an institution of higher education as defined under section 481(a) of the Higher Education Act of 1965.
- e. The amount being paid to the AmeriCorps member during the period of enrollment does not exceed the difference between: (a) the cost of attendance for the period of enrollment, determined in accordance with section 472 of the Higher Education Act of 1965; and (b) the sum of: (i) the student's estimated financial assistance for such period under part A of title IV of such Act; and (ii) the student's veterans' education benefits, determined in accordance with section 480(c) of such Act.

Please note the following with respect to the treatment of this award by your organization:

- a. By law, this education award shall not be treated as financial assistance for purposes of determining eligibility for student financial aid under section 471(3) of the Higher Education Act.
- b. If the individual withdraws or otherwise fails to complete the period of enrollment for which this assistance is provided, and is entitled to a refund, the amount of the refund shall be determined under the fair and equitable refund policies required by the Department of Education under the Higher Education Act. Such refund shall be paid to the Corporation for National Service.

TRAVEL

PURPOSE: To establish policies and procedures governing travel of members.

APPLICABILITY: The following policies and procedures apply to all AmeriCorps*TCCC members.

POLICIES: The aforementioned policies and procedures govern all official travel performed by AmeriCorps*TCCC members.

AmeriCorps*TCCC will provide travel for the following:

- Travel from the member's Home of Record (HOR) to the campus
- Special Purpose Travel

a. Campus Arrival

1. Campus Arrival Travel Entitlement

AmeriCorps*TCCC will assist the members with their transportation arrangements and expenses to their designated campus.

b. Medical Hold

In the event a member is required to go home on medical hold, he or she will travel at TCCC expense.

c. Travel not covered by AmeriCorps*TCCC

The following types of travel are neither arranged nor funded by AmeriCorps*TCCC unless otherwise noted. Members assume personal and financial responsibility for these trips. AmeriCorps*TCCC cannot provide "advances" or "loans" to members for these expenses. This list includes, but is not limited to, the travel types listed below.

Dis-enrollment from Program/Termination Travel

Members are responsible for their own travel expenses for return to their HOR upon voluntary or involuntary early termination from the program.

1. Personal Travel

Members will be responsible for arranging and financing any travel other than official government travel. It is not possible to receive a government rate ticket when traveling for personal reasons.

Bus

In most cases, the individual will be provided with a bus ticket. A plane ticket will be purchased only if it is less costly to the Government.

1. Travel via Privately Owned Vehicle (POV)

- ◆ Members choosing to travel by privately owned vehicles will be reimbursed at the mileage rate determined by the FTRs, currently \$0.31 per mile. Travel by motorcycle will be reimbursed at \$0.25 per mile. This reimbursement is intended to cover transportation expenses (it may not cover all costs associated with lodging/subsistence). The total amount claimed cannot exceed \$150.00. Mileage is authorized for only one member per vehicle.
- ◆ If the member is a passenger traveling in another member's POV, the passenger member is entitled to \$0.10 per mile, with a maximum of \$75.00.
- ◆ All mileage is computed on the basis of distances stated in the Rand McNally Standard Highway Mileage Guide. Mitigating circumstances such as detours for road construction or adverse weather conditions, will be considered provided written justification is submitted with the travel claim.
- ◆ Rental vehicles, such as cars or moving vans, will be considered under the same policy as POVs.

2. Miscellaneous Travel

- ◆ Other types of travel expenses may be authorized by the program director provided they are fully justified with receipts. Such authorizations are rare and granted only in cases of unusual hardship or unforeseeable contingency. Each instance will be considered on a case by-case basis.
- ◆ The shipment of personal belongings is a member responsibility. Members will not be reimbursed for the shipment of any items to or from the campus.

d. Administrative Process

All travel must be approved in advance, in writing, by the program director or designated alternate.

CAMPUS LIFE

RESIDENTIAL LIVING

PURPOSE: To establish minimum standards that reflect the fact that dormitories will be "home" to all AmeriCorps*TCCC members during their period of service. These standards will ensure a safe, secure, sanitary, and attractive physical and social environment at all times.

Policy:

a. General

1. Roommates

Residences are co-ed; however, only those of the same gender will be assigned as roommates.

2. Assignment of Roommates

To fulfill AmeriCorps*TCCC goals of bringing together young Americans from diverse backgrounds, roommates are assigned to ensure that both individuals benefit from each other's background. Upon arrival, members will be assigned to a specific room in a residence hall. Requests for room changes are to be submitted in writing to the program director for operations/logistics or other designated staff person and should include an explanation for desiring to move. While the overall well-being and morale of the members will always be held as top priority, occasions may arise when it is necessary that a member be required to move to another room. Any such action will be communicated in writing, and will include an explanation for the required relocation and a timeline for completing the move.

3. Bathroom Facilities

Separate bathroom facilities will be designated for males and females. Under no circumstances should any person use the bathroom facilities of the opposite sex.

4. Attire

Minimally acceptable attire for common areas will be athletic shorts, T-shirt or tank tops, and appropriate footwear.

5. Security

Residents are responsible for the security of their personal possessions. Rooms should be locked and valuables secured when the room is unoccupied, and outside doors should be secured for the safety of residents. If items are missing then the proper authorities need to be notified, TCCC is will not be held responsible for any lost, missing or stolen items.

6. Security Problems

Residents are responsible for reporting unescorted visitors and other security/safety problems to the team leader or staff member on duty.

7. Quiet Hours

Quiet hours will normally be from 11:00 p.m. to 6:00 a.m., Sunday through Thursday and from midnight to 10:00 a.m. on Fridays and Saturdays. The term "quiet hours" means that the residence halls and campus complex will be free from loud noises. Complaints from other residents about excessive noise may result in appropriate disciplinary action. These hours may be modified at the discretion of the program director.

8. Visitation

In order to create a community that respects the rights and privacy of all members, **no person will be allowed in another person's dorm room (excluding roommate) from midnight to 6:00 a.m.** This rule applies seven days a week and there are no exceptions; however, between 10:00 p.m. and midnight, you must have roommate's verbal consent for any visitor, either male or female. Absolutely no one is allowed to stay a night under any conditions.

b. Rooms

1. Room Inspection/Inventory

The program director shall conduct a weekly room inspection and shall have a female staff person present when inspecting the female dormitory. Prior to the member departing from the program, a final dorm room check will take place and any damages discovered will be charged directly to the member. Failure to pay for the damage will result in the delay or withholding of the education award and could result in further legal proceedings. **TCCC will not be held responsible for items missing or left in the room after the member has graduated/terminated/resigned from the program.**

2. Cleanliness

Each member will be held responsible for the cleanliness of his or her room. Beds are to be made daily, all clothing and personal items should be stored neatly, trash cans emptied and floors clean from debris. No utensils or dishware are allowed in the dorm room(s).

3. Privacy

Dorm rooms operate on the honor code; individual privacy is to be respected at all times. Knock before entering, ask before borrowing, and never enter someone else's room without permission.

4. Food Storage

Food must be properly stored or otherwise disposed of in a sanitary manner to prevent insect infestation. Food such as bread, crackers, cookies, and cereal must be kept in air-tight tins or plastic containers/bags.

5. Cooking Appliances

Storage or use of microwaves (unless approved by the program director) hot plates, broilers, rice steamers, or cooking appliances in a member's room are prohibited. Any of these items discovered will be removed and stored until completion of the program.

6. Fire Hazards

To avoid fire hazards, candles, incense, or open flames are prohibited.

7. Flammable Materials

Storage or use of flammable material such as gasoline, paint thinners, camping fuel, or any other explosive or highly flammable material in individual rooms is prohibited. They can be stored in the designated storage area with the program directors approval. TCCC will not be held responsible for items stored for the members in the storage area.

8. Other Appliances

The use of radios, stereos, televisions, and coffee makers is authorized provided such equipment does not create a fire hazard and is not prohibited by a specific local policy. Coffee makers, hair dryers, irons, curling irons, etc. should be unplugged when not in use. The television in the lounge area must be turned off after use or upon leaving the lounge area. Use of an electrical device that is not properly grounded is prohibited.

9. Personal Property

AmeriCorps*TCCC is not responsible or liable for loss of, or damage to, a member's personal property, including, monies loaned between members.

10. Linens

Most members furnish their own linens. If necessary, linens can be furnished by the respective campus. Laundry facilities are provided. Residents will be expected to wash their own linen at least once a week.

a. Common Areas

All members are expected to carry out assigned dormitory duties. Common areas will be cleaned daily and, at a minimum, the following tasks will be completed:

- ◆ Sweep hallways, porches, and stairways.
- ◆ Mop and disinfect bathroom floors and shower stalls.
- ◆ Scrub and disinfect sinks, toilets, and urinals.
- ◆ Empty trash.
- ◆ Take out recycling materials.
- ◆ Clean mirrors.
- ◆ Clean laundry room.
- ◆ Clean lounge and kitchen area. Means sweep, mop and vacuum floors and/or rugs.

b. Dining Areas/Meals

1. Meals

Members will be provided three meals a day, Monday-Friday, and two or three meals a day on weekends and holidays. The kitchen shall be closed during the Christmas break or with discretion of the program director.

2. Visitors

Visitors are not authorized to eat at AmeriCorps*TCCC expense; however, certain meals may be purchased at a nominal fee (for example, Thanksgiving, Christmas).

3. Eating Out/Ordering Food

Members who elect to provide their own meals may do so at their own expense. (Members are encouraged to use the dining facility rather than eating or ordering out, since this service is provided at no cost).

c. Fire Prevention/Safety

1. Fire Alarms and Exits

Each member shall be familiar with the location of fire alarms, exits, and extinguishers. Each member shall also be familiar with the contents of posted evacuation plans.

2. Evacuating the Building

Upon hearing or seeing the alarm, everyone will leave the residence hall by the nearest exit and assemble by teams in a predetermined location a sufficient distance from the dorm so that fire fighting personnel can accomplish their task. Team leaders will account for all members of their team and provide such information to the unit supervisor.

3. Failure to Respond to Fire Alarms

Failure to respond appropriately to fire alarms (including drills) may result in disciplinary action.

f. Visitors and Visitation

1. Definition

Anyone who is not a member of AmeriCorps*TCCC is considered a visitor.

2. Check-In

All visitors must check in with the staff member on duty upon entering and leaving the AmeriCorps*TCCC campus. No visitors under the age of 18 unless they are present with their parent or legal guardian. No visitors will be allowed to stay a night.

3. Rules and Regulations

Visitors will be accompanied by a member or appropriate staff member, who will advise the visitor of all rules and regulations.

4. Visitation Hours

Visitors are not authorized to remain in dormitories overnight and will not be allowed in rooms after 11:00 p.m.

INSPECTIONS

PURPOSE: To ensure a safe and supportive environment and that there are no unsafe or prohibited items in the rooms.

Policy: All members will be advised of this policy.

a. Staff Inspections

1. Periodic Inspections

Health, safety, and sanitation inspections will be conducted every Friday by program director. The director shall have a female staff person present when inspecting the female dorm. Members do not have to be present during an inspection.

2. Purpose of Inspections

Inspections are limited to the purposes for which they are authorized and should not involve the examination of any desk, bureau, trunk, or other presumptively private container. Unlocked closets and refrigerators may be inspected to ensure that they are clean and orderly.

3. Evidence of Crime

If a staff member should see evidence of a crime in plain view, he or she is responsible for reporting his or her observation to the program director for operations/logistics and ensuring that the evidence is safeguarded until it is turned over to the appropriate authorities.

4. Probable Cause

Inspections should not be used to search for illegal items (evidence of a crime). Officials must base any search under the Fourth Amendment to the U.S. Constitution on probable cause and comply with search and seizure requirements. **Inspections may be conducted to determine whether members possess items that are prohibited by AmeriCorps*TCCC policy.**

b. Other Official Inspections

Public health, public safety, and fire officials may conduct routine inspections of residence hall rooms and storage areas to promote the overall health and welfare of all residents. These inspections may result in disciplinary action for any individual who is responsible for violations of campus policy.

Inspectors must be accompanied by AmeriCorps*TCCC staff inspecting a member's room for health and safety purposes. These inspections can occur at anytime and do not require the presence of the member.

As stated above, inspections by public safety and fire officials are also limited to the purposes for which they are authorized and should not involve the examination of any desk, bureau, trunk, or other presumptively private container. Unlocked closets and refrigerators may be inspected to ensure that they are safe and clean.

If an inspector should see evidence of a crime in plain view, the inspector has the responsibility to report his or her observation to law enforcement authorities.

c. Emergency Entries

1. Fire Officials

Fire officials may lawfully enter an individual's room without permission to search for, or to confirm the presence of, a fire or related dangers.

2. Law Enforcement and Other Officials

Any person, including law enforcement officials, may enter a member's room without permission in order to search for, rescue, evacuate, or treat fire or disaster victims, or otherwise save lives or property from destruction.

3. Seizure of Evidence

In the course of assisting at a fire or disaster, police officers may lawfully seize any evidence of a crime they observe in plain view for purposes of prosecution. Since they are lawfully on the premises, they do not need to obtain a warrant.

4. Fire Officials/Evidence

Fire officials have a responsibility to report any evidence of a crime they have observed to law enforcement officials. However, a police officer who seeks to enter a member's room solely to investigate such a report is under legal obligation to comply with search and seizure requirements.

PERSONAL TRAVEL and USE OF PRIVATELY OWNED VEHICLES

PURPOSE: To establish requirements governing personal travel and for keeping personal vehicles on campus.

POLICY: Personal vehicles may be kept on campus provided the following conditions are met:

- ◆ The owner must have a valid driver's license. Proof must be provided to the program director..
- ◆ The vehicle must be properly titled and licensed. Proof must be provided to the program director .
- ◆ All private vehicles and operators must be covered under the minimum vehicle liability insurance requirement.
- ◆ Proof of current insurance coverage must be provided to the program director .
- ◆ Personal vehicles will not be used for any AmeriCorps*TCCC official business, except as approved by the program director for operations/logistics for individual transportation to and from individual service projects or as.
- ◆ Vehicles are parked and stored on campus at the risk of the owner. AmeriCorps*TCCC assumes no liability for theft or damage to privately owned vehicles.
- ◆ Legal difficulties that may result from the use of private vehicles on or off campus are the responsibility of the owner.

USE OF GOVERNMENT VEHICLES *Refer to the Tribe's Motor Vehicle Policy*

PURPOSE: To inform all members and staff concerning the use of government vehicles.

WELFARE OF MEMBERS

PURPOSE: To develop attitudes, skills, and knowledge necessary for the prevention of accidents; to reduce or eliminate unsafe practices or conditions that cause accidents; to prevent accidents both on and off campus; and to protect the lives and well-being of AmeriCorps*TCCC members.

POLICY: Safety is the most important responsibility for all members of AmeriCorps*TCCC. Therefore, the following rules and regulations have been established:

a. Training and Certification

All members will be trained to operate any and all equipment assigned to them. Under no circumstances shall members operate any piece of equipment unless qualified to do so and authorized by their team leader or supervisor. Certification will be obtained when and where required.

b. Use of Hand Tools

- ◆ The following guidelines will be observed when using hand tools:
- ◆ All tools will be used and treated in a professional and appropriate manner. For example, handles should be tightly fitted, secured with a wedge and inspected for splitting, warping and absence of slivers.
- ◆ Always use sharp tools, as dull tools are dangerous.
- ◆ Keep tool guards in position on cutting edges during transportation to and from project sites.

- ◆ Never throw or play with tools.
- ◆ Inventory and clean all tools at the end of each day and return them to their appropriate storage areas. Report any broken tools immediately to the team leader.

c. Power Equipment

- ◆ Members shall be alert and apply common sense at all times when operating power equipment. Inappropriate behavior will not be tolerated.

1. Protective Clothing and Equipment

Protective clothing and equipment such as hard hats, gloves, safety boots, and appropriate weather gear will be issued to AmeriCorps*TCCC members as necessary. Such clothing or equipment remains the property of the government and, except for expendable or worn-out items, must be returned to the campus upon termination or when no longer needed. Members who lose this equipment may be required to pay for the loss. This may be accomplished by requiring the member to either replace the item or pay for it directly. Instruction in the proper use and maintenance of such clothing and equipment will be provided.

2. Eye Protection

Eye protection will be worn while using grinders, chainsaws, operating a chipper, stump cutter, sawing stranded cable or wire rope. Under no circumstances will face shields be worn in place of safety glasses; they may be worn over the safety glasses.

3. Hard Hats and Safety Boots

Hard hats and safety boots will be worn at all times at appropriate project sites, and when operating, carrying, or sharpening tools. Under no circumstances will soft caps or soft athletic shoes be worn in place of hard hats or proper work boots.

4. Hearing Protection

Hearing protection must be used when operating or working near:

- ◆ Routers, circular or table saws, or other power tools.
- ◆ Wood chippers, jack hammers, or other mechanical equipment.
- ◆ Tractors, back hoes, or other motorized equipment that have the potential of causing hearing damage as determined by the team leader.
- ◆ Any other area where the team leader determines there is the potential for hearing damage.

5. Safety Gear with Chain Saw or Grass Trimmers

Safety chaps, bibs, pants, boots, gloves, and hearing protection must be worn any time a member uses a chain saw.

6. Gloves

Except in rare cases, members must wear gloves while working on project sites, and when carrying or sharpening tools and operating all power tools.

7. Dust Masks

Disposable dust masks must be worn when spraying paint, working with treated wood or plaster, or engaging in any other activity that results in dust fumes, mists, or other possible harmful conditions.

d. Drinking Water

All teams will be supplied with a water container that is to be taken to all project sites. Team leaders will ensure that drinking water is available at all work sites.

e. Transportation Safety

During transportation to and from AmeriCorps*TCCC activities, members will be seated inside the vehicle in which they are riding. No one will stand up, ride the tailgate, ride the running board, or ride outside of any vehicle. Proper restraints (seat belts/shoulder restraints) will be worn at all times.

f. Life Jackets

Members working in or around water must wear an approved life jacket. This includes, but is not limited to, persons working in boats or barges and cleaning streams in deep areas. When waders and/or hip boots are required, they must be equipped with steel toes. Members working over ice-covered water will carry a rope of at least 20 feet. Members must complete Swift water rescue training to be within 20 feet of water.

g. Tool Storage

Tools will be properly stowed in the storage after use each day.

h. Fuel Storage

Fuel will only be transported in approved containers. Fuel containers with fuel will be properly stored in the fire safety storage container provided.

i. Hunting-Related Hazards

Due to the extreme hazards associated with hunting seasons, AmeriCorps*TCCC teams may not work in any area where it is reasonable to assume hunters will be. Team leaders, staff, and project sponsors should be alert to any hunting-related hazards and work together to ensure team safety. In some cases it may be necessary for members to wear blaze orange safety clothing.

Ninety-five percent of all accidents occur during the first hour of the day, or right after people stop working. During these times, people are not thinking about safety and their guard is down. Be aware of this and think safety.

RESPONSIBILITIES:

a. Members

Members will be monitored by team leaders and unit supervisors to ensure that they are using safety equipment properly and responsibly. In cooperation with project managers, they will ensure that project sponsors provide appropriate training in the use of unfamiliar equipment and will participate in planning and/or presenting such training instruction.

b. Team Leaders

Team leaders are responsible for the day-to-day safety of their teams and for maintaining a safe working environment. They will conduct a safety briefing prior to commencing work each day. They will ensure that safety equipment, tools, and machinery are in good working order and in a good state of repair. Unsafe equipment will be reported and not used until repaired. This includes equipment borrowed from other entities.

c. Members

Members will receive appropriate and recurring instruction and/or training in accident prevention, first aid, and CPR. Members and team leaders will:

- ◆ Comply with Tribal and Federal safety regulations and laws (including highway laws), and the Corporation for National Service, AmeriCorps*TCCC or host facility policies and/or directives.
- ◆ Maintain and safeguard all equipment assigned to them. Members are also responsible for advising team leaders or supervisors of the condition of their equipment.
- ◆ Ensure that all passengers riding in their vehicles wear appropriate restraining devices.

SANCTIONS: Any violation of the above rules will be investigated and strict disciplinary measures will be taken, as appropriate.

PHYSICAL TRAINING

PURPOSE: To increase strength and flexibility, to minimize and/or prevent injuries that may result from AmeriCorps*TCCC members' routine work or service, and to enhance self-esteem and esprit de corps.

Policy: Members will participate in physical training at least three times weekly. This training will be team-based. Team Leaders and the Unit Supervisor will monitor the planned weekly workouts and will, to the extent possible, participate with their teams. All other AmeriCorps*TCCC staff are encouraged to participate in the campus physical fitness program. The physical training program is important because AmeriCorps*TCCC undertakes hard, physical work and members need to be strong and limber enough to engage in it safely. During CTI, physical training will be conducted by teams or the entire corps to the extent practicable.

From a personal standpoint, individuals feel better and self-esteem is higher when they are physically fit. AmeriCorps*TCCC recognizes that everyone starts out at different levels of fitness and capability. Everyone is encouraged to strive for a higher level of physical fitness.

SAFETY CONSIDERATIONS:

a. Warm-Up and Stretching

All exercises must be preceded by an appropriate warm-up and stretching period and followed by an appropriate cool-down period.

b. Prohibited Stretching

Ballistic stretching, double-leg lifts of any type, and exercises that cause knee flexation over 90 degrees are strictly prohibited.

c. Weather Conditions

Weather conditions will be considered at all times to determine the safety and feasibility of conducting physical training.

d. Health Concerns

No individual will be required to participate in any exercise that is reasonably beyond his or her physical capability or that would constitute a direct threat to his or her health. In the event that a member cannot participate in the daily physical training, then a doctor's excuse must be submitted.

PROHIBITIONS: Under no circumstances will physical training be assigned as a disciplinary measure. However, if members refuse to participate or do not participate to their fullest extent, they will be subject to disciplinary action.

STANDARDS OF PHYSICAL TRAINING:

a. Total Fitness

The AmeriCorps*TCCC campus community subscribes to the principle of total fitness for all members.

b. Exercise and Conditioning

Members will engage in a regular and routine fitness regimen for exercise and conditioning while recognizing physically limiting conditions that exist among members of the community.

c. Fitness Goal

The regimen utilizes levels of fitness in order to accommodate the differences in the community, with the goal being to have the members reach beyond their limits to new heights of physical stamina and attainment.

d. Continuity

Physical training will not be sacrificed in any manner. Provisions exist at each campus to provide for continuity in the fitness program regardless of weather, facilities, or program conflicts.

e. Cohesiveness

Routine physical training provides the team with cohesiveness within their community.

f. Benefits

Physical training is designed so that participants see its value. Members should consider physical training to be time well spent, and realize its personal benefits.

INCLEMENT WEATHER

PURPOSE: To establish guidelines for conducting service projects and/or physical training during severe weather conditions (i.e., extremes in temperature, heavy precipitation, or high winds). This is not only a health and safety issue; it also affects project quality and timeliness.

Policy: Members should be prepared to spend a substantial amount of their time outdoors. **Light rain, cold weather, or snow on the ground will not stop AmeriCorps*TCCC teams from completing service projects.** Team leaders,

unit supervisor(s), and worksite supervisors should agree when working conditions are not appropriate for the team to continue working on the project. AmeriCorps*TCCC teams should receive training as to how to recognize and respond to conditions caused by severe weather. The following guidelines should be followed during periods of severe weather:

a. Cold Weather

In making decisions about outside activities in cold weather, staff should consider both the outside air temperature and the wind chill factor. The wind chill factor makes the body's internal temperature regulating mechanisms feel as though it is much colder than the thermometer indicates.

The Wind Chill Index should be used in making a decision. A lower limit of 20 degrees Fahrenheit (when adjusted for wind chill) is the guideline for outside work. Outdoor activities may be authorized at colder temperatures for short periods of time, but only after the following safety precautions have been taken. Members should:

- ◆ Be trained to recognize the symptoms of frostbite and hypothermia.
- ◆ Be properly clothed for the temperature-foul weather gear for rain and wool or synthetic fabrics for cold extremes.
- ◆ Be assigned to work in pairs.
- ◆ Be assigned outside for limited periods of time.
- ◆ Have access to a readily available warm-up location.
- ◆ Be regularly monitored by team leaders and/or unit staff.

b. Hot Weather

Precautions must be taken both outdoors and indoors, in extremely hot and humid weather. The Heat Index demonstrates how heat and humidity combine to create hazardous working conditions. When working in hot weather, members and team leaders will:

- ◆ Have access to an adequate water supply.
- ◆ Wear SPF 15, at a minimum, sunscreen/block to protect themselves from sunburn.
- ◆ Undertake less physically strenuous work tasks.
- ◆ Take frequent breaks.
- ◆ Avoid working outdoors at mid-day.
- ◆ Be monitored frequently.
- ◆ Have been trained to recognize and be alert to symptoms of heat exhaustion and dehydration.

c. Heavy/Freezing Precipitation

On days when there is freezing rain or heavy precipitation, campuses should rely on information available from local sources-law enforcement, highway department offices, weather bureau, and the radio-to determine whether teams should report to project sites, or, if already at a project site, whether they should end work early to avoid unsafe travel conditions.

SPIKE CAMPS

PURPOSE: To provide to AmeriCorps*TCCC members information regarding spike camps.

Policy: A spike occurs when a team undertakes a service project away from their normal project area and must stay overnight for one or more nights.

a. General

1. Length of Spikes

No team will be away from the campus for more than 60 continuous days (unless approved by National Headquarters).

2. Support Services

Support services for members will, to the extent practicable, be commensurate with campus support services and will be assured for the life of the project.

3. Communication

Adequate communication lines must exist between the spike camp and the campus.

b. Supervision and Accountability

All spike projects will be team-based. The following rules will apply:

1. Assistant Team Leader Responsibilities

The assistant team leader is in charge of the team from time to time. When the Team Leader is not available. They will report and be held responsible for all activities that may occur while the Team Leader is unavailable.

2. Delegation of Responsibilities

At the beginning of each day, the team leader will appoint the assistant team leader to assume responsibility for the safety and well-being of the team in the event that a team leader becomes incapacitated. If such a situation arises, the appropriate unit supervisor must be notified immediately.

3. Spike Camp

The housing facility and boundaries designated by the team leader will be known as the spike camp. Any rules specific to the regional campus will be enforced in this area.

4. Code of Conduct

The AmeriCorps*TCCC Code of Conduct will be enforced at all times during the spike, including free time both on and off the spike camp.

5. Host Facilities Rules

Any rules specific to the host facility must be enforced.

6. Additional Rules

The team leader may establish additional rules as necessary and reasonable to ensure the health, safety, and morale of the team.

7. Leaving Spike Camp

No one may enter (friends, visitors), nor may members leave the spike camp without first notifying the team leader. Members who wish to leave the spike camp should do so in groups of two or more. Those leaving should inform the team leader as to their destination and expected time of return. Once back in the spike camp, members should check in with the team leader or person designated as camp watch.

c. Use of Government and Private Vehicles**1. Official Business**

Government vehicles are to be used only for official business necessary for the health, welfare, and well-being of the team.

2. Recreational Purposes

Government vehicles may be used for recreational purposes after service hours and within a 15-mile radius of the spike camp. However, the vehicle may not be used to transport participants to establishments where alcoholic beverages are primarily consumed (i.e., bars, taverns, etc.). The team leader, with unit supervisor's approval, may authorize a larger radius if needed.

3. Personal Business

The vehicle is not to be used for a member's personal business.

4. Enforcement of Rules

Rules and regulations applying to the operation of government vehicles will be strictly enforced.

5. Private Vehicles

Personal (private) vehicles or rental cars are not allowed on spike, except as authorized by campus directors.

SANCTIONS: Any violation of spike rules may result in disciplinary action, up to and including, dismissal.

ADMINISTRATION

SERVICE HOURS POLICY

PURPOSE: To clarify the types of service, training and other related activities that can be included in a member's record of "service hours."

Policy: The following policies apply to all AmeriCorps*TCCC members while participating in the AmeriCorps*TCCC program.

Federal legislation requires that all members participating in AmeriCorps complete a minimum of 1,700 service hours over the course of their program. Team projects and individual service hours, in combination, will likely surpass the mandated 1,700 hours. With a shared understanding of the law and each campus' tracking mechanism, the confusion over what does and does not count toward the 1,700 creditable service hours should be minimized. Service hours will be tracked by the WBRS Financial Data Base and will not be according to your weekly stipend.

DIRECT SERVICE:

a. Direct Service Requirement

At least 80 percent (1,360 hours per member) of the required 1,700 hours of service must be spent in direct service activities. In general, eligible direct service activities are those service activities that directly relate to a program's community service projects. Key criteria are outlined below.

"Direct service" is service that is a direct benefit to the community where it is performed (not to include the AmeriCorps*TCCC community). This includes both team service projects and individual service hours, as approved.

Part of the minimum 80 percent can be activities incidental to performing direct service (such as travel to and from the worksite, project preparation and research, project portfolio completion, and project debrief).

b. Prohibited Activities

Any activities that can be interpreted as efforts to influence legislation (i.e. advocacy, partisan political activities, voter registration drives). Involvement in the political process is permissible on the staff or members' own time using their own resources but not while representing or with support of AmeriCorps*TCCC.

c. Duties not Considered Direct Service

Duties not considered direct service include:

Member involvement in committees and governance with the AmeriCorps*TCCC community. While this fosters citizenship and contributes to the overall health of the AmeriCorps*TCCC community, it does not fall within the intent of the legislation.

TRAINING: Up to 20 percent (340 hours) of total creditable service hours may be counted as indirect service toward the 1,700 mandatory service hours and is geared toward the development of members and of the communities in which we serve. If training spans beyond 20 percent of the required 1,700 hours, only the initial 20 percent will count.

Training includes:

- ◆ On and off-site education/training that relates to members' ability to perform service (such as CTI, technical skills, CPR, first aid, mediation, and conflict resolution skills).
- ◆ GED classes.
- ◆ General education classes that support the development of the individual.
- ◆ Service-learning activities that help members to transfer learning on their project sites to other contexts.
- ◆ Building infrastructure in the community (such as meeting with a community-based organization in order to develop a relationship with that organization).
- ◆ Since federal funds cannot be used to support religious activities, courses that relate to religion are not considered training. Also not included as training are involvement in the Governance Council and other AmeriCorps*TCCC community building.

INDEPENDENT SERVICE HOURS: Of the 1,700 service hours required for program completion, These ISPs must be approved by the program director, or his or her designee, and must be performed so as not to interfere with the members' regular, team-based projects. Project managers, unit supervisors and team leaders will assist members in identifying and developing ISPs. Program directors will also assist members with transportation needs and other administrative support.

MEMBER LIABILITY FOR GOVERNMENT PROPERTY

Members will be financially responsible for government property under their control that is either damaged or lost as a result of gross negligence or a deliberate willful destruction of the property. Gross negligence is defined as the intentional failure to perform a duty in reckless disregard of the consequences, which directly affects the property of another.

When a program director makes a preliminary determination that government property was either lost or damaged as a result of gross negligence or deliberate destruction, the member will be presented a *Statement of Charges*, which will include:

1. a description of the property
2. replacement value of the property
3. a short narrative stating how the property was either lost or damaged
4. a determination as to the member's pecuniary liability.

The member will either sign the Statement of Charges, agreeing to pay for, or replace the item, or disagree with the conclusion and, within five duty days, present a rebuttal statement, together with witness statements and other evidence in support of the rebuttal.

The program director will then appoint a staff member to conduct an informal investigation to determine the validity of the rebuttal statement. The investigating officer will present his or her findings to the program director, who will make a final decision. The program director may impose either the replacement value or depreciated value (when appropriate), allow an acceptable replacement, or impose no liability at all in appropriate situations.

Appeals from the program director's decision must be submitted in writing to the Hoopa Valley Tribal Chairman within seven days of the program director's notification. The appeal should state the reasons for the appeal, and be accompanied by relevant witness statements and/or other documentation supporting the appeal.

Once liability has finally been determined, the individual will be given a reasonable period to either replace, or pay for, the loss or damage (usually no more than one pay period).

Deductions may not be made from the member's living allowance; however, failure to pay may be the basis for disciplinary action up to, and including, dismissal. Additionally, if a member owes money at the end of the program, the program director may take this into consideration in determining whether or not the member has successfully completed the program. Successful completion of the program is required to be eligible for the education award. Consequently, the award may be withheld until such time that the member satisfies the debt to the government.

MEMBER GRIEVANCE PROCEDURES

PURPOSE: To provide a mechanism for identifying and resolving training or service-related grievances in a fair, orderly, and timely manner with minimum disruption to the program's mission and objectives.

Policy: These grievance procedures shall be used when a member or team leader believes that his or her ability to participate in, or receive the full benefits of, the program has been diminished because of disagreements with other members or staff personnel. This includes disagreements concerning service credit, or other types and amounts of education awards due at the termination of the individual's participation in the program.

The procedures shall **not** be used in the following circumstances:

- ◆ To raise allegations of discrimination or disparate (unfair) treatment based upon discrimination (Equal Opportunity procedures are available for these types of complaints).
- ◆ To complain about campus policies, operations, physical living conditions, size or locations of living quarters, or other similar matters. These types of concerns should be brought to the attention of the campus administration through normal channels established for these purposes.
- ◆ To challenge a proposal or decision by the campus administration to terminate, suspend, fine, or otherwise discipline a member for conduct that, in the opinion of the program director, jeopardizes the enforcement of the standards of conduct established by AmeriCorps*TCCC, or that may diminish the opportunities of other individuals.
- ◆ Additionally, these grievance procedures will not be used to appeal a disciplinary action.

GRIEVANCES AGAINST FELLOW MEMBERS:

a. Conflict Resolution

If a member has a grievance against another member of AmeriCorps*TCCC, he or she should first try to resolve the matter by requesting a meeting with the other member and the appropriate team leader(s) mutually agreed upon by both parties, within three duty days following the incident. If previous attempts to resolve the matter by the parties have resulted in an impasse, the time limit shall begin to run from the day of the impasse. The time limit may be waived by the program director for good cause.

b. Written Complaint

If the face-to-face meeting does not resolve the matter, the aggrieved member may submit a written complaint through his or her team leader to his or her unit supervisor. The written grievance should specifically describe the circumstances giving rise to the complaint, including the date and time of the incident, the names of the parties involved, witnesses to the incident, and a short statement as to how he or she thinks the grievance should be resolved. The written complaint should be endorsed by the team leader (with a recommendation) and be presented to unit supervisor within three duty days from receipt.

c. Unit Supervisor

The unit supervisor will then attempt to resolve the complaint with the concerned parties. This shall take place within three duty days from receipt of the written complaint. If the matter cannot be resolved to the mutual satisfaction of both parties, the unit supervisor will submit the matter within three duty days (with recommendations) to the program director, for final decision. If the conflict is acted upon by someone other than the program director, the findings and recommendation(s) of this individual shall be forwarded to the program director, who will either approve or disapprove the recommendation. The final decision will be made within five duty days and transmitted to the grieving party within five duty days from the date of the program director's final decision.

d. Program Director

The decision of the program director is final and binding on all parties. There is no appeal of the program director's decision. Failure to comply with this decision may also be the basis for disciplinary action (including dismissal from AmeriCorps*TCCC) against the offending party.

GRIEVANCES AGAINST STAFF:

a. Conflict Resolution

If a member has a grievance against a staff member, he or she should attempt to resolve the matter by meeting with the individual within three duty days following the incident. If the complaint concerns a service issue or assignment, the individual will comply with the staff member's instructions and then attempt to schedule a meeting with the staff member in order to resolve the conflict.

If the staff member does not meet with the individual within three duty days or at the time mutually agreed upon by both parties, or if the meeting fails to produce an acceptable resolution to the grievance, the individual may submit a written complaint to the staff member's immediate supervisor. The complaint should specifically describe the circumstances surrounding the complaint and the names of individuals who may have information surrounding the incident. Finally, the complaint should contain a short statement as to how he or she thinks the grievance should be resolved. The written complaint should be endorsed by the supervisor of the grieving party (with a recommendation) and be presented to the program director within three duty days from receipt.

b. Program Director

The program director will then attempt to resolve the complaint with the concerned parties. This shall take place within 10 duty days from receipt of the written complaint. The program director will make the final decision concerning the complaint and transmit this decision in writing within five duty days from the date that the final decision is made by the program director.

c. Appeal of Decision

The decision of the program director is final and binding on all parties except for those grievances that concern service hour credit and/or education award determinations. In these situations, a member may appeal the

campus director's decision to the national director, who will give the individual an opportunity to submit matters on his or her behalf. Depending on the circumstances, an objective fact-finder may be appointed to ascertain the facts and make a recommendation to the AmeriCorps*TCCC national director, who will make the final decision concerning the grievance.

For all other grievances, there is no appeal of the program director's decision. Failure to comply with this decision may be the basis for disciplinary action (including dismissal from AmeriCorps*TCCC) against the offending party. Nothing in these procedures either mandates or precludes AmeriCorps*TCCC from taking official disciplinary action against government employees who are involved in duty-related misconduct.

GRIEVANCES AGAINST PROGRAM DIRECTORS: The only grievances that may be brought against a program director are those related to the director's personal conduct that is not performed within the scope of his or her official duties. In situations such as these, members may contact Hoopa Valley Tribal Chairman. Decisions made by program directors in the course of their official duties may not be grieved, except as discussed above.

SERVICE-LEARNING AND PERSONAL DEVELOPMENT

PURPOSE: To establish procedures and guidelines to be followed in developing an appropriate education and training program to ensure success in project completion and the personal and professional development of all members.

Policy: The mission of AmeriCorps*TCCC is to get things done in communities while at the same time, prepare America's future leaders for continued service to their communities beyond their AmeriCorps*TCCC commitment. Therefore, a solid educational program, complementing the work projects and overall campus life, is a critical element of AmeriCorps*TCCC's success.

Service-learning and personal development involves several components, including:

a. Corps Training Institute (CTI)

CTI is conducted during the first four weeks after members arrive on campus and is coordinated by the campus director and his or her staff. CTI is an intensive program designed to develop the AmeriCorps*TCCC campus community. Full participation in CTI is expected and essential for members to be prepared for service throughout the AmeriCorps*TCCC year.

b. Service Training and Preparation

AmeriCorps*TCCC recognizes that quality community service has many components. Among these components is the cycle of learning where good preparation and training precedes the service project and thorough evaluation and reflection occurs throughout and after completion of the project. The projects manager will work in collaboration with the program director, sponsoring agencies, team leaders and unit supervisors to provide pre-service training. Preparation will include use of equipment and safety procedures as appropriate and background information about community or natural environment of the project site.

c. Service-Learning

Members and AmeriCorps*TCCC staff will be expected to teach each other and the communities they are serving throughout the year and to reflect together about experiences on project sites. This reflection will focus on three essential questions: What did we do? What did we learn? How will we use this experience in the future? This kind of learning (service-learning) is facilitated through the following activities:

Exploration of issues by the AmeriCorps*TCCC community as a whole, in units and in teams. The AmeriCorps*TCCC community will explore as a group such questions as: How do you create healthy communities? What do all healthy communities have in common? What kind of relationships help communities work together? How does diversity keep a community healthy? How do we make and keep healthy communities?

A service-learning project portfolio is another document assembled by an AmeriCorps*TCCC team that records the service learning project experiences and accomplishments. The service-learning project portfolio is used for reflection, documentation and presentation purposes and is targeted for use by members, project sponsors, and AmeriCorps*TCCC staff members. The completed portfolio can be used by members as background for resumes, job

seeking, or educational applications. Finally, AmeriCorps*TCCC staff members can use the finished service learning project portfolio as documentation of members activities-a tangible account of program achievements.

d. Personal and Professional Development

AmeriCorps*TCCC is committed to enhancing the skills and education of all members and staff. AmeriCorps*TCCC will provide resources, strategies, and opportunities for individuals to make decisions and plans for their future following AmeriCorps*TCCC, including the following:

Members will complete an Individual Learning Plan (ILP), identifying goals and skills to be developed over the course of the year.

Once determined, individuals will be encouraged to work on the goals/skills identified in their ILP through community service, mini-courses, and available resources through the Academy staff and in the community.

AmeriCorps*TCCC expects members who have yet to obtain a high school diploma or GED to include this goal in the ILP.

GLOSSARY OF TERMS

Administrative Staff-Refers collectively to the Program Director, Project Manager, Recruitment/Community Relations Officer, Administrative Assistant, Unit Supervisor, Team Leaders and Night/Evening/Weekend Security and all located in the administrative office

AmeriCorps-The national service initiative that involves more than 40,000 individuals in full- and part-time service. AmeriCorps is composed of AmeriCorps*TCCC, AmeriCorps*NCCC, AmeriCorps*VISTA, and more than 600 state, local and national nonprofit organizations.

Community Meeting/Morning R.A.P.-Reflection, Announcements, and Physical Training. It is an opportunity for the whole corps to come together to reflect on service activities, be informed about upcoming events, and address campus community issues.

Community Working Group-The AmeriCorps*TCCC Community Working Groups serve as the primary linkage to local and neighboring communities by facilitating communication between policymakers, elected officials, and community leaders. They assist in identifying service-learning projects, reviewing results and serving as liaison to project sponsors.

CTI-Corps Training Institute. This refers to the first four weeks of training for all AmeriCorps*TCCC members. It is a time of preparation and readiness for the months of service ahead.

Headquarters-The AmeriCorps*TCCC staff at the Corporation for National Service.

ILP-Individual Learning Plan. All members and team leaders assisted by their staff, are expected to develop and complete a learning plan.

AmeriCorps*TCCC members-This term refers to all members and assistant team leaders assigned to AmeriCorps*TCCC.

On-Site-Refers to activities being conducted at a project site.

POV-Privately Owned Vehicles (i.e., your car).

Spikes-A spike is a service project away from the member's normal residential area, requiring a stay for one or more nights.

Spike camp-The housing facility and boundaries designated by the team leader when teams are on a service project away from campus.

Team-The primary entity for each member. Every member has been assigned to a team with an assigned team leader. Teams train, travel and work together.

TCCC ORGANIZATION CHART

Night/Evening/Weekend Security- Ensures the safety of the facility, staff and Corps Members at all times.

Team Leader-The Americorps*TCCC staff person responsible for the supervision of the Corps member(s).

Unit- Three teams together compose a unit. At times, units will be training for and traveling to projects together. Much of the training during CTI will be accomplished by units.

Unit Supervisor- Responsible for the activities of the entire unit. Is involved in planning most of the details for work and how it is to be accomplished at individual project sites. Is also the first line supervisor of team leaders.

Project Manager- Responsible for managing projects and coordinating service learning elements of projects. Is also responsible for Corps Member training. This person is the supervisor of the Night/Evening/ Weekend Staff.

Recruiting/Community Relations Specialist- Responsible for coordinating recruitment efforts, public relations and seeing that all projects are properly publicized.

Administrative Assistant- Responsible for daily operations of administration.

Program Director- Responsible for all activities, operations, staff, and TCCC corps members.